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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,593	04/16/2004	Nicholas Barden	028622-0130	7794
22428 7590 11/14/2008 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
PAK, MICHAEL D				
ART UNIT		PAPER NUMBER		
1646				
MAIL DATE		DELIVERY MODE		
11/14/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

**Application No.**

10/825,593

**Applicant(s)**

BARDEN ET AL.

**Examiner**

Michael Pak

**Art Unit**

1646

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael Pak (Ex).(3) Gary Nickol (SPE).(2) Liliana Di Nola-Baron (App Rep).

(4) \_\_\_\_.

Date of Interview: 05 November 2008.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Applicant representative showed Declaration 132.

Claim(s) discussed: 36, 37 and 39-43.

Identification of prior art discussed: McElroy.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed that the declaration 132 concerning the disease, major depression. It appears from the declaration 132 shown that ICDs are different disease from the major depression. When the RCE is filed the rejection will likely be withdrawn.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Michael Pak/  
Primary Examiner, Art Unit 1646